



Delaware County
Drainage Improvement Petition
R.C. 6131.04; R.C. 6133.02

Single County

1

Joint County

1

Mitchell Smucker6/17/2026

Petitioner(s)

Date

DELAWARE COMMISSIONERS
JUL 17 2025 4:10:44

To the Board of County Commissioners of Delaware County, Ohio:

The undersigned hereby petition your honorable body to order the drainage improvement described herein (the "Improvement") and states as follows:

1. The Improvement consists of the following nature of work, as set forth in R.C. 6131.04(B)(1):

To vacate the existing improvement and easement known as Roof Main A (#1415) from Station 109+40 to Station 112+15 of the original improvement upon approval of the construction of the proposed new alignment and easement for the relocation improvement.

2. The course and termini of the Improvement, including the branches, spurs, or laterals, if any, are as follows:

In Delaware County, Kingston Township, within the Roof Main A watershed from Station 109+40 to Station 112+15 of the Roof Main A drainage maintenance project.

3. The construction of the Improvement is necessary and will benefit the petitioner(s).
4. All costs of engineering, construction, and future maintenance will be assessed to the benefiting parcels of land, except as ordered under an appeal filed in accordance with R.C. 6131.31.

5. A list of the names and addresses, where known, of all the owners of the land that the petitioner(s) or the county engineer claims will be benefited or damaged by the construction of the Improvement, as determined by the county engineer, is attached hereto.
6. Prior to filing this petition, the petitioner(s) consulted with the county engineer to discuss the Improvement and to determine the proper forms and procedures for filing the petition.
7. This petition is accompanied by a bond, in the sum required in R.C. 6131.06(A) and on the conditions required in R.C. 6131.06(B).

SIGNED BY THE FOLLOWING PETITIONER(S) IN ACCORDANCE WITH R.C. 6131.04(C)

Name

MITCHELL SMUCKER

Address

2434 N THREE BS'K ROAD
SONBURY, OH 43074



Delaware County Commissioners

Gary Merrell
Ken O'Brien
Dennis Stapleton

County Administrator
Timothy C. Hansley

Clerk to the Commissioners
Jennifer Walraven

RESOLUTION NO. 14-912

IN THE MATTER OF ESTABLISHING DRAINAGE MAINTENANCE ACCOUNT AND APPROVING MAINTENANCE EASEMENTS FOR THE ROOF #397 MAIN "A" DRAINAGE IMPROVEMENT PROJECT:

It was moved by Mr. Stapleton, seconded by Mr. O'Brien to approve the following:

WHEREAS, the Delaware County Engineering Staff and the Soil and Water Conservation Staff recommend finalizes the construction assessments, establishing the Drainage Maintenance Account and approving the Drainage Maintenance Easements for The Roof #397 Main "A" Drainage Improvement Project as follows;;

**RE: Roof #397 Main "A" Drainage Improvement Project
Final Assessments, Drainage Maintenance Account
Drainage Maintenance Easements**

Please accept this request to finalize the construction assessments (final schedule of assessments available in the Commissioners' Office until no longer of administrative value), establish the drainage maintenance account with the following amount for the referenced project, and approve the drainage maintenance easements. The following information may be used to initiate the account:

Name:	ROOF "A"
Account:	1415
Organization:	21911401
Amount:	\$10,000.00

Maintenance Easement Description: (Map available at Engineer's Office)

Beginning at Point A at the junction of the Roof #397 Main "A" surface drainage route and the property lines for Delaware County parcels #51730001091008 and #51730001091009, and extending downstream to Point E at the junction of the Roof #397 Main "A" open channel and the road right-of-way for North Three B's & K Road (CR#35) inclusive of access corridors to the improvement from North Three B's & K Road.

Points A to B:
25 feet left of top of bank
25 feet right of top of bank

Points F to B
25 feet left of top of bank
25 feet right of top of bank

Points G to B
15 feet left of subsurface drain
15 feet right of subsurface drain

Points H to C

25 feet left of top of bank
25 feet right of top of bank

Points I to D
15 feet left of subsurface drain
15 feet right of subsurface drain

Points J to K
15 feet left of subsurface drain
15 feet right of subsurface drain

Points L to M
10 feet left of drive centerline
10 feet right of drive centerline

Points N to O
10 feet left of drive centerline
10 feet right of drive centerline

Points P to Q
15 feet south/east of property line

Points R to S
15 feet south of property line

Points T to U
10 feet left of drive centerline
10 feet right of drive centerline

THEREFORE BE IT RESOLVED, that the Board of Commissioners Establish Maintenance Account and Approve Maintenance Easements for the ROOF #397 MAIN "A" Drainage Improvement Project.

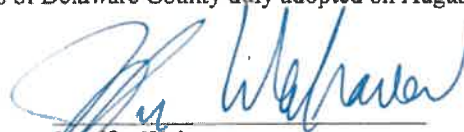
Further Be It Resolved, that the Board of Commissioners will approve the final schedule of construction assessments (copy available in the Commissioners' Office until no longer of administrative value) when the interest rate of the bond for the borrowing of the money is determined.

Be It Further Resolved, that the Commissioners' Office will supply to the Auditor's Office the final schedule of construction assessments after the bond is issued and the interest rates are determined for the assessments. Eight years shall be the period of time, in semi-annual installments, as taxes are paid, given the owners of land benefited, to pay their assessments with the interest rate of the installment.

As the project's final cost is less than the estimate, those property owners who paid in advance are due a refund as shown on the proposed final schedule of assessments (copy available in the Commissioners' Office until no longer of administrative value).

Vote on Motion Mr. Stapleton Aye Mr. O'Brien Aye Mr. Merrell Aye

I, Jennifer Walraven, Clerk to the Board of County Commissioners hereby certify that the foregoing is a true and correct copy of a resolution of the Board of County Commissioners of Delaware County duly adopted on August 18, 2014, and appearing upon the official records of said Board.


Jennifer Walraven
Clerk to Commissioners

DELAWARE SOIL AND WATER CONSERVATION DISTRICT



557-A SUNBURY ROAD (RT. 36-37 E.) - DELAWARE, OHIO 43015-8656
PHONE: (740) 362-4011 or (740) 368-1921 **FAX:** (740) 369-8321 **EMAIL:** dswcd@delawareswcd.org

August 5, 2014

Delaware County Commissioners
Delaware County Commissioners Office
101 North Sandusky Street
Delaware, OH 43015

RE: Roof #397 Main "A" Drainage Improvement Project
Final Assessments, Drainage Maintenance Account, Drainage Maintenance Easement

Dear Commissioners:

Please accept this request to finalize the construction assessments (see attached), establish the drainage maintenance account with the following amount for the referenced project, and approve the drainage maintenance easements. The following information may be used to initiate the maintenance accounts:

Name: Roof #397 Main "A"
Account: 1415
Organization: 21911401
Amount: \$10,000.00

Please note that as the project's final cost is less than the estimate, those property owners who paid in advance are due a refund as shown on the proposed final schedule of assessments.

Prepared by,

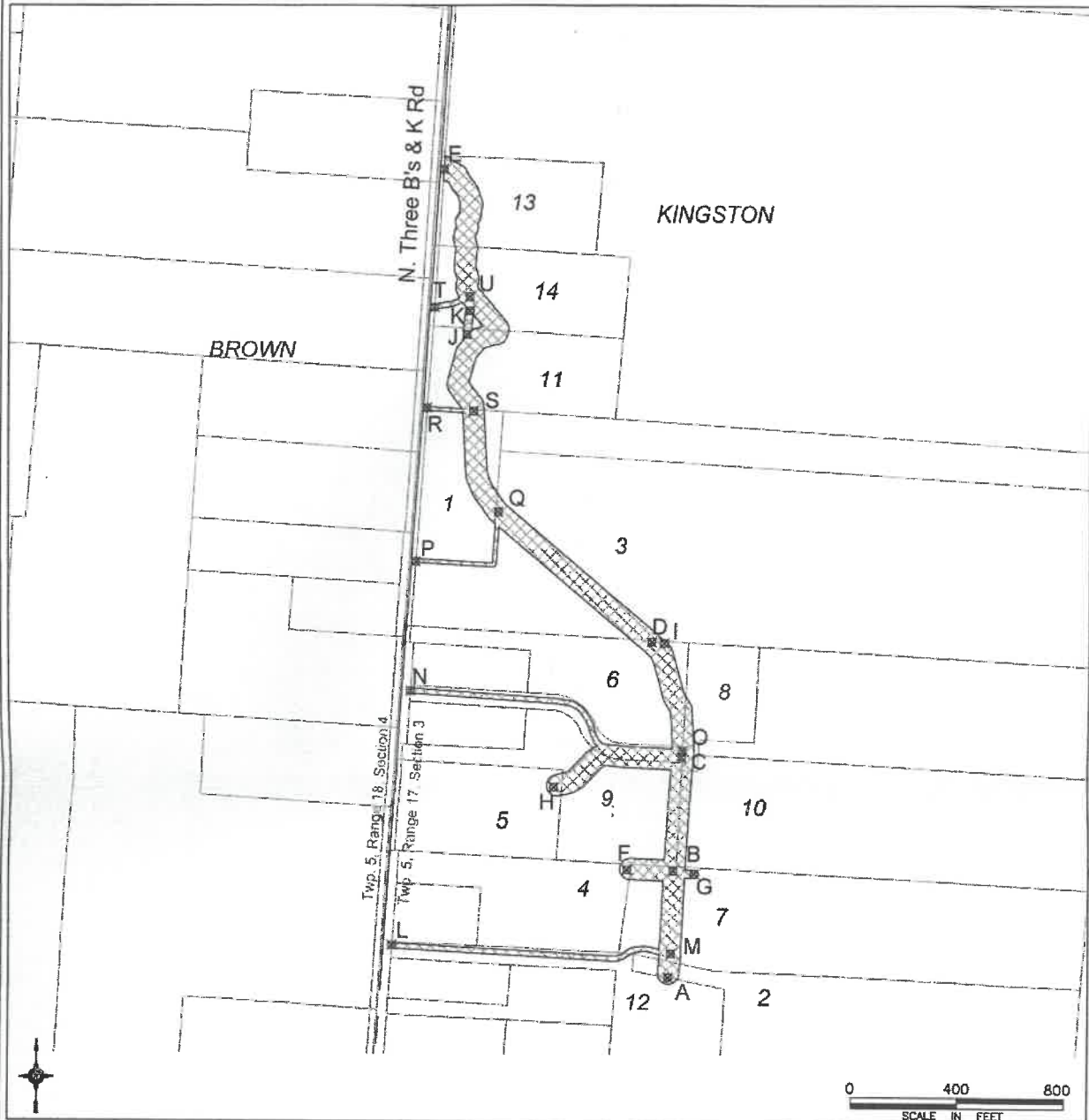

Scott Stephens
Resource Conservation Program Coordinator
Delaware Soil and Water Conservation District

Approved by,


Chris Bauserman, P.E., P.S.
Delaware County Engineer

ROOF #397 MAIN "A" (ID #1415) DRAINAGE IMPROVEMENT
 In United States Military District
 Section 3, Township 5, Range 17
 Kingston Township, Delaware County, Ohio

1
3



PERMANENT EASEMENT ESTABLISHED PURSUANT TO:

ORC 6131.14 AND 6137.12

COMMISSIONERS RES. NO. _____

TRANSFERRED THIS _____ DAY OF _____, 20____

FILED FOR RECORD THIS _____ DAY OF _____, 20____

AT _____ M. FEE \$ _____

FILE NO. _____

CABINET _____ SLIDES _____

AUDITOR, _____ DELAWARE COUNTY, OHIO

RECORDER, _____ DELAWARE COUNTY, OHIO

Chris Brown 2014 8/7/14
 COUNTY ENGINEER, DELAWARE COUNTY, OHIO DATE

Chris Brown
 DELAWARE COUNTY COMMISSIONER DATE

Larry Meul
 DELAWARE COUNTY COMMISSIONER DATE

[Signature] 8/15/14
 DELAWARE COUNTY COMMISSIONER DATE

EASEMENT DESCRIPTION

Beginning at Point A at the junction of the Roof #397 Main "A" surface drainage route and the property lines for Delaware County parcels #51730001091008 and #51730001091009, and extending downstream to Point E at the junction of the Roof #397 Main "A" open channel and the road right-of-way for North Three B's & K Road (CR #35) inclusive of access corridors to the improvement from North Three B's & K Road:

A to E
 25 feet left of top of bank
 25 feet right of top of bank

F to B
 25 feet left of top of bank
 25 feet right of top of bank

G to B
 15 feet left of subsurface drain
 15 feet right of subsurface drain

H to C
 25 feet left of top of bank
 25 feet right of top of bank

I to D
 15 feet left of subsurface drain
 15 feet right of subsurface drain

J to K
 15 feet left of subsurface drain
 15 feet right of subsurface drain

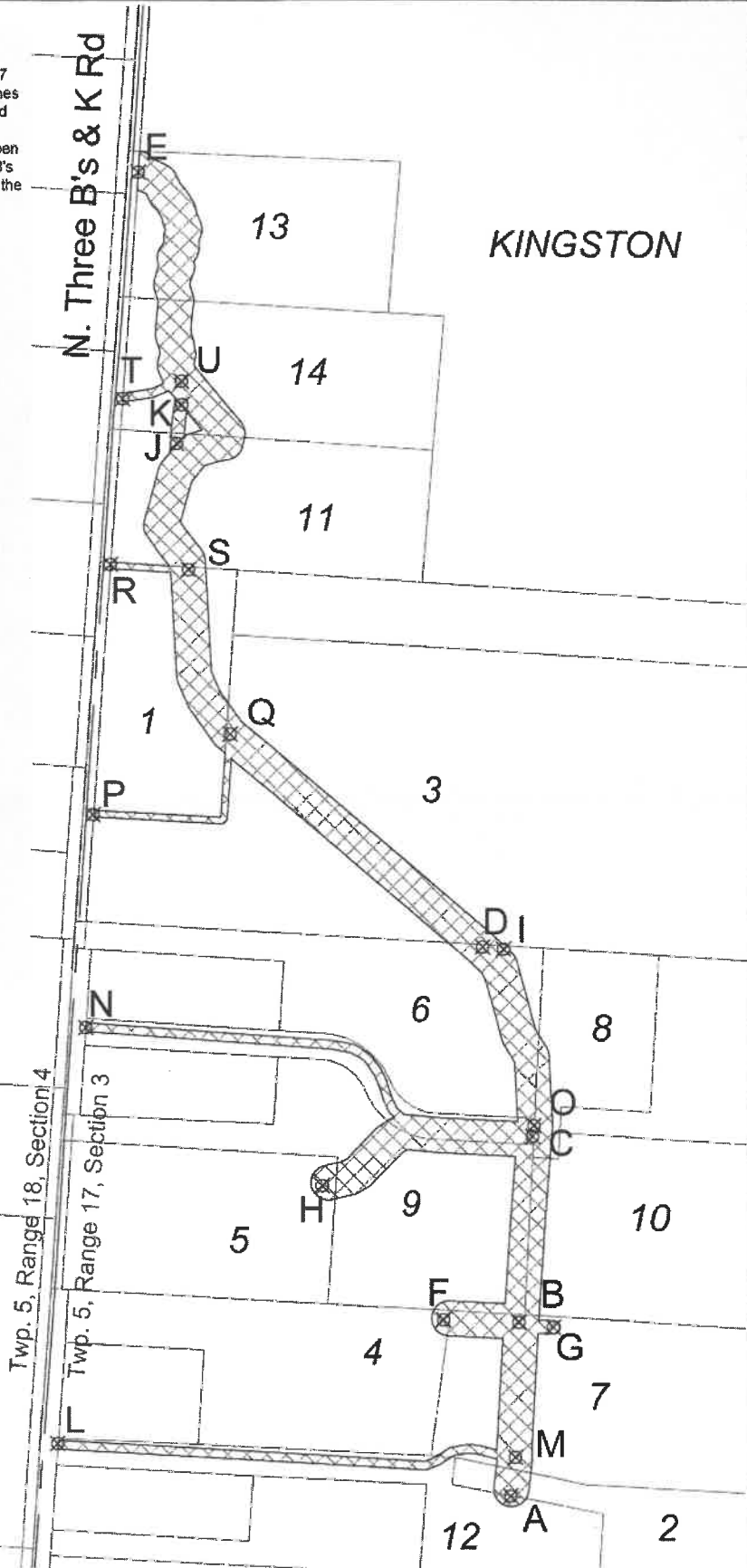
L to M
 10 feet left of drive centerline
 10 feet right of drive centerline

N to O
 10 feet left of drive centerline
 10 feet right of drive centerline

P to Q
 15 feet south/east of property line

R to S
 15 feet south of property line

T to U
 10 feet left of drive centerline
 10 feet right of drive centerline



0 250 500
 SCALE IN FEET

ROOF #397 MAIN "A" (ID #1415) DRAINAGE IMPROVEMENT
In United States Military District
Section 3, Township 5, Range 17
Kingston Township, Delaware County, Ohio

Map ID #	Auditor's Parcel #	Owner	Sheet No	Owners Book	Record Page	Total Easement Acres	Remarks
1	51730001086000	CLIFFORD MATTHEW C	2	610	475	0.773	
2	51730001091008	GRAVLEY DAVID A	2	69	2237	0.111	
3	51730001088000	SHEETS STEPHEN L	2	602	483	1.532	
4	51730001091005	HETRICK DEBORAH K	2	11	2090	0.045	
5	51730001090000	MOLNAR LUKE L	2	1058	763	0.090	
6	51730001089001	LONG DAVID A	2	1254	2031	0.677	
7	51730001091007	PRAUL BRUCE H	2	117	1154	0.910	
8	51730001089003	ANTHONY MELINDA J	2	642	662	0.948	
9	51730001089002	LOWE DREW E	2	662	726	0.987	
10	51730001089005	GRAVES JOHN A JR	2	651	208	0.301	
11	51730001085000	CLIFFORD MATTHEW C	2	454	340	0.726	
12	51730001091009	OLEWNIK ROBERT	2	646	348	0.439	
13	51730001083001	MIDEGRAJAR LIMITED	2	805	22	0.647	
14	51730001084000	BOYSEN SARAH TILL	2	6	742	0.753	



Delaware County Drainage Improvement Petition Bond

KNOW ALL PERSONS BY THESE PRESENTS, That we, Mitchell Smucker, as principal, and _____, as surety, are held and firmly bound unto Delaware County, Ohio, in the sum of ¹ 4,500 Dollars, to the payment of which sum, well and truly to be made, we do hereby jointly and severally bind ourselves, our heirs, executors and administrators.

Signed by us and dated at Delaware, Ohio, this 17th day of June, 2026.

THIS CONDITION OF THE ABOVE OBLIGATION IS SUCH, That, Whereas, on the 17th Day of June, 2026, a petition was filed with the Clerk of the County Commissioners of Delaware County, Ohio, by Mitchell Smucker, and others, making application to the County Commissioners for a drainage improvement generally described as follows:

In Delaware County, Kingston Township, within Roof Main A watershed from Station 109+40 to Station 112+15 of the Roof Main A drainage maintenance project.

Now, if the said principal will pay all costs associated in preparing for the view and first hearing if the petition is not granted or if the petition is for any cause dismissed, then this obligation shall be void; otherwise it shall be and remain in full force and virtue in law.

The above bond is approved this 17th, day of June, 2026

John Walshaw
Clerk to the Commissioners

¹ One Thousand Five Hundred Dollars (\$1,500.00), plus the sum of Five Dollars (\$5.00) for each parcel of land in excess of two hundred parcels that are listed in the petition as lands that will benefit from the improvement